

BLANKROME

Union Trust Building
501 Grant Street | Suite 850 | Pittsburgh, PA 15219
blankrome.com

MEMO ENDORSED

Phone: (412) 932-2814
Fax: (412) 592-0959
Email: roy.arnold@blankrome.com

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1-6-2023

January 6, 2023

VIA ECF

The Honorable Lewis A. Kaplan
United States District Judge
for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Waite v. UMG Recordings, Inc.
Civil Action No. 1:19-cv-01091-LAK (S.D.N.Y.)

Dear Judge Kaplan:

On behalf of plaintiffs Kasim Sulton, Susan Straw Harris, Leonard Graves Phillips, Stan Sobol, Joel Davis Pellish, Dennis Mehaffey, Steve Wynn, and all others similarly situated ("Plaintiffs"), we write to request a short continuance of the January 11, 2023, oral argument relating to Plaintiffs' Motion for Class Certification (the "Motion"), which the Court set on Tuesday afternoon, January 3, 2023.

Due to previously scheduled matters and travel commitments, certain key attorneys representing plaintiffs are not able to attend and participate in the January 11, 2023, hearing. We respectfully request that the hearing be rescheduled to a date on or after January 27, 2023. Counsel has identified January 27, January 30, February 6, February 14, or February 17 as workable for all parties. This will not only solve the scheduling conflicts, but also give the attorneys who do not reside in the New York City area more time and flexibility to secure travel arrangements for the hearing.

We have conferred with counsel for defendants, Rollin Ransom, and he has confirmed that defendants do not oppose this request.

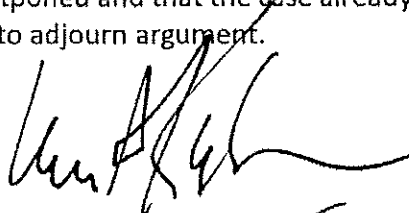
Very truly yours,

/s/ Roy W. Arnold

cc: Counsel of Record

The Court is sympathetic to the difficulties of travel at the present. Accordingly, I will take the motion on submission or, if either side wishes, hear argument over a Teams video conference. Counsel shall notify my deputy by 1/9/2023 of their election and, if they seek argument, make arrangements with Mr. Mohan for the video conference. In view of the fact that argument previously and necessarily was postponed and that the case already is nearly four years old, I decline to adjourn argument.

SO ORDERED.



USDJ

1/6/23